IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1166 OF 2006

Shri Naresh Manaji Gade & Ors. .Petitioner

Vs.

Oriental Bank of Commerce & Ors.Respondents

Mr. V.P. Vaidya for the petitioners
Mr. Birendra Saraf with Mr. Satish Bejai for respondent No.1.
Mr. Y.R. Mishra with Ms. Ritu Singh for Respondent NO.2.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA, JJ.
DATE : 25th April,2006

P.C.:

. The petitioners were employees of a contractor. On a merger of the Global Trust Bank with Respondent No.1 the Union made a demand that these contract employees also be absorbed or taken in service of respondent No.1. Conciliation proceedings were initiated. In the conciliation proceedings the respondent No.1 agreed to take up the matter with the Government of India. The matter was taken up with the Government of India and thereafter discussed with the Bank Employees Federation. Based upon that certain decisions were taken in the matter of absorption of categories of employees enlisted therein. The petitioners were working as data entry operators. To be absorbed as data entry operators the petitioners had to meet with certain requirements. They do not meet with the said requirements. Once it is the Union which has exposed the cause of the petitioner and based upon that an understanding has arrived at between

the employees and the Union it will not be open to this Court thereafter to impose further condition on Respondent NO.1. In the light of that, the case of the petitioners for consideration as data entry operators cannot be considered.

2. It will, however, be open to the petitioner to represent to the Respondent NO.1 for consideration to be appointed in the post of Grade IV and it is for the respondent NO.1 to decide the same according to law. With the above observation petition stands disposed of.

(F.I.REBELLO, J.)

(ANOOP V. MOHTA, J)